

assessor. This should be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. Planning departments could work with and be assisted by suitably qualified and experienced officers within borough building control departments and/or the London Fire Brigade, in the evaluation of these statements.

- 3.12.10 **Fire safety and security measures** should be considered in conjunction with one another, in particular to avoid potential conflicts between security measures and means of escape or access of the fire and rescue service. Early consultation between the London Fire Brigade and the Metropolitan Police Service can successfully resolve any such issues.
- 3.12.11 **Refurbishment** that requires planning permission will be subject to London Plan policy. Some refurbishment may not require planning permission; nevertheless, the Mayor expects steps to be taken to ensure all existing buildings are safe, taking account of the considerations set out in this policy, as a matter of priority.

## Policy D13 Agent of Change

- A The Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Boroughs should ensure that Development Plans and planning decisions reflect the Agent of Change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby.
- B Development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.
- C New noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.

- D Development proposals should manage noise and other potential nuisances by:
- 1) ensuring good design mitigates and minimises existing and potential nuisances generated by existing uses and activities located in the area
  - 2) exploring mitigation measures early in the design stage, with necessary and appropriate provisions including ongoing and future management of mitigation measures secured through planning obligations
  - 3) separating new noise-sensitive development where possible from existing noise-generating businesses and uses through distance, screening, internal layout, sound-proofing, insulation and other acoustic design measures.
- E Boroughs should not normally permit development proposals that have not clearly demonstrated how noise and other nuisances will be mitigated and managed.

- 3.13.1 For a long time, the responsibility for managing and **mitigating the impact of noise** and other nuisances on neighbouring residents and businesses has been placed on the business or activity making the noise or other nuisance, regardless of how long the business or activity has been operating in the area. In many cases, this has led to newly-arrived residents complaining about noise and other nuisances from existing businesses or activities, sometimes forcing the businesses or other activities to close.
- 3.13.2 The **Agent of Change principle** places the responsibility for mitigating the impact of noise and other nuisances firmly on the new development. This means that where new developments are proposed close to existing noise-generating uses, for example, applicants will need to design them in a more sensitive way to protect the new occupiers, such as residents, businesses, schools and religious institutions, from noise and other impacts. This could include paying for soundproofing for an existing use, such as a music venue. The Agent of Change principle works both ways. For example, if a new noise-generating use is proposed close to existing noise-sensitive uses, such as residential development or businesses, the onus is on the new use to ensure its building or activity is designed to protect existing users or residents from noise impacts.
- 3.13.3 The Agent of Change principle is included in the National Planning Policy Framework, and **Planning Practice Guidance** provides further information on

- 3.13.9 Some **permitted development**, including change of use from office to residential, requires noise impacts to be taken into consideration by the Local Planning Authority as part of the prior approval process. Boroughs must take account of national planning policy and guidance on noise, and therefore the Agent of Change principle would apply to these applications.
- 3.13.10 **Noise and other impact assessments** accompanying planning applications should be carefully tailored to local circumstances and be fit for purpose. That way, the particular characteristics of existing uses can be properly captured and assessed. For example, some businesses and activities can have peaks of noise at different times of the day and night and on different days of the week, and boroughs should require a noise impact assessment to take this into consideration. Boroughs should pay close attention to the assumptions made and methods used in impact assessments to ensure a full and accurate assessment.
- 3.13.11 Reference should be made to [Policy D14 Noise](#) which considers the impacts of noise-generating activities on a wider scale and [Policy SI 1 Improving air quality](#) which considers the impacts of existing air pollution. **Further guidance** on managing and mitigating noise in development is also provided in the Mayor's London Environment Strategy.

## Policy D14 Noise

- A In order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by:
- 1) avoiding significant adverse noise impacts on health and quality of life
  - 2) reflecting the Agent of Change principle as set out in [Policy D13 Agent of Change](#)
  - 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses
  - 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)

- 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation
  - 6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
  - 7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.
- B Boroughs, and others with relevant responsibilities, should identify and nominate new Quiet Areas and protect existing Quiet Areas in line with the procedure in Defra's Noise Action Plan for Agglomerations.

- 3.14.1 The **management of noise** is about encouraging the right acoustic environment, both internal and external, in the right place at the right time. This is important to promote good health and a good quality of life within the wider context of achieving sustainable development. The management of noise should be an integral part of development proposals and considered as early as possible. Managing noise includes improving and enhancing the acoustic environment and promoting appropriate soundscapes. This can mean allowing some places or certain times to become noisier within reason, whilst others become quieter. Consideration of existing noise sensitivity within an area is important to minimise potential conflicts of uses or activities, for example in relation to internationally important nature conservation sites which contain noise-sensitive wildlife species, or parks and green spaces affected by traffic noise and pollution. Boroughs, developers, businesses and other stakeholders should work collaboratively to identify the existing noise climate and other noise issues to ensure effective management and mitigation measures are achieved in new development proposals.
- 3.14.2 The **Agent of Change Principle** places the responsibility for mitigating impacts from existing noise-generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly affected by the introduction of new noise-sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion.